

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

FILED BY lg D.C.

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AUGUSTINE KPUINEN and
SAMUEL WILLIAMS, *individually and on
behalf of all persons similarly situated,*

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

Plaintiffs,
v.
CORDOVA SECURITY, INC.,
MARCO YZAGUIRRE and
MIKE ELLIOTT.

CIV. ACTION NO. 05-2555 DAN
REPRESENTATIVE ACTION COMPLAINT
JURY DEMANDED

Defendants.

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates. Present were James R. Becker, Jr., counsel for Plaintiff, and Murray Wells, counsel for Defendants. At the conference the following dates were established as the final dates for:

INITIAL DISCLOSURES:	<u>December 12, 2005</u>
JOINING PARTIES:	<u>January 30, 2006 for Plaintiffs</u>
	<u>February 27, 2006 for Defendants</u>
AMENDING PLEADINGS:	<u>January 30, 2006 for Plaintiffs</u>
	<u>February 27, 2006 for Defendants</u>
COMPLETING ALL DISCOVERY:	<u>May 29, 2006</u>
(a) DOCUMENT PRODUCTION:	<u>May 29, 2006</u>
(b) DEPOSITIONS, INTERROGATORIES and REQUESTS FOR ADMISSIONS:	<u>May 29, 2006</u>

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 12/21/05



(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) PLAINTIFF'S RULE 26 EXPERT INFORMATION:	<u>March 27, 2006</u>
(2) DEFENDANT'S RULE 26 EXPERT INFORMATION:	<u>April 24, 2006</u>
(3) SUPPLEMENTATION:	<u>May 4, 2006</u>

(d) DEPOSITION OF EXPERTS: May 29, 2006

FILING DISPOSITIVE MOTIONS: June 26, 2006

FINAL LISTS OF WITNESSES AND
EXHIBITS: 45 days prior to trial for Plaintiff
30 days prior to trial for Defendant

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The liability phase of this trial is expected to last at least 1-2 days, with the damages phase possibly taking an additional 1-2 days depending on the number of individuals to opt into this representative action. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by a proposed order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a

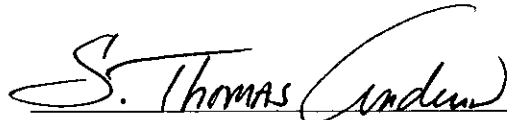
reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

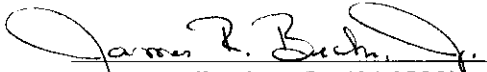
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

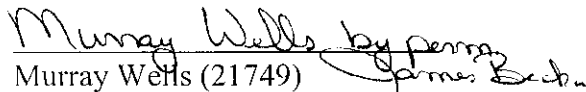
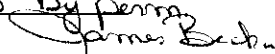
IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

DATE: December 19, 2005

Agreed to:


James R. Becker, Jr. (016582)
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Counsel for Plaintiffs


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Counsel for Defendants



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02555 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT